

ENTERED

February 26, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JOE F. SENA,

Plaintiff,

VS.

MARTIN J. O'MALLEY,

Defendant.

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CIVIL ACTION NO. 2:24-CV-00227

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION


On February 6, 2025, United States Magistrate Judge Julie K. Hampton issued her “Memorandum and Recommendation” (D.E. 12), recommending that the Court grant the parties’ unopposed motion to remand. The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s memorandum and recommendation (D.E. 12), and all other relevant

documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the unopposed motion to reverse and remand (D.E. 11) is **GRANTED**. The Court **ORDERS** that Defendant's January 2024 unfavorable final decision denying Plaintiff's claim for disability insurance benefits (DIB) under Title II of the Social Security Act (the Act), 42 U.S.C. § 416(i), is **REVERSED** and **REMANDED** for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Final judgment terminating this action will be issued by separate order.

ORDERED on February 26, 2025.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE